

Legislation Text

File #: 180015-A, **Version:** 2

Authorizing the City of Philadelphia to organize an authority to be known as the Callowhill Business Improvement District, pursuant to the provisions of the Municipality Authorities Act, 53 Pa. C.S. § 5601 *et seq.*, all under certain terms and conditions.

The Council of the City of Philadelphia hereby ordains:

SECTION 1. It is the intent of the Council of the City of Philadelphia (the “City”) to organize an authority (the “Authority”) pursuant to the provisions of the Municipality Authorities Act, 53 Pa. C.S. § 5601 *et seq.* (the “Act”). The Authority shall be created for the purpose of making business improvements and providing administrative services, as such terms are defined in the Act, to the Callowhill district of the City, and to undertake any other projects, as such term is defined in the Act, in the Callowhill district of the City.

SECTION 2. It is hereby declared that the participation of the Authority in projects for and concerning business improvements and administrative services to the Callowhill district is desirable for the entire City to preserve and improve the economic vitality of the Callowhill district.

SECTION 3. The name of the Authority shall be “Callowhill Business Improvement District.”

SECTION 4. The City Solicitor is hereby authorized and directed to cause notice of this Ordinance to be published, to the extent required by and in accordance with the Act.

SECTION 5. The City Solicitor is hereby further authorized and directed to file, in accordance with the Act, Articles of Incorporation on behalf of the Authority in substantially the following form:

ARTICLES OF INCORPORATION
OF
CALLOWHILL BUSINESS IMPROVEMENT DISTRICT

To the Secretary of the
Commonwealth of Pennsylvania:

In compliance with the requirements of the Municipality Authorities Act, 53 Pa. C.S. § 5601 *et seq.*, the undersigned Mayor and President of the Council of the City of Philadelphia, pursuant to an ordinance duly adopted, desiring to organize a body corporate and politic under the aforesaid Act, do hereby certify:

(a) The name of the Authority shall be “Callowhill Business Improvement District.”

(b) The Authority is formed under and by virtue of the Municipality Authorities Act, 53 Pa. C.S. § 5601 *et seq.*

(c) The City of Philadelphia has organized other authorities under the Municipality Authorities Act,

53 Pa. C.S. § 5601 *et seq.*, and prior versions of the Act. Such authorities continue to be in existence in or for the City of Philadelphia.

(d) The name of the incorporating municipality is the “City of Philadelphia.” The names and addresses of its municipal authorities are:

James Kenney, Mayor
215 City Hall
Philadelphia, PA 19107

MEMBERS OF CITY COUNCIL

Darrell L. Clarke, President of City Council
313 City Hall
Philadelphia, PA 19107

Cindy Bass 312 City Hall
Philadelphia, PA 19107

Kenyatta Johnson 580 City
Hall Philadelphia, PA 19107

Jannie Blackwell 408 City Hall
Philadelphia, PA 19107

Curtis Jones, Jr. 404 City Hall
Philadelphia, PA 19107

Blondell Reynolds Brown 581 City
Hall Philadelphia, PA 19107

David Oh 319 City Hall
Philadelphia, PA 19107

Allan Domb 316 City Hall
Philadelphia, PA 19107

Brian J. O’Neill 562 City Hall
Philadelphia, PA 19107

Derek Green 594 City Hall
Philadelphia, PA 19107

Cherelle Parker 577/584 City
Hall Philadelphia, PA 19107

William K. Greenlee 508 City Hall
Philadelphia, PA 19107

Maria D. Quiñones-Sánchez
319A City Hall Philadelphia,
PA 19107

Helen Gym 592 City Hall
Philadelphia, PA 19107

Mark Squilla 332 City Hall
Philadelphia, PA 19107

Bobby Henon 484 City Hall
Philadelphia, PA 19107

Al Taubenberger 582/586 City
Hall Philadelphia, PA 19107

(e) The Authority shall exist for a term which shall commence on the date a certificate of incorporation is issued, as required by the provisions of the Act, by the Secretary of the Commonwealth of Pennsylvania and shall terminate on the twentieth anniversary date of either (i) said commencement date if the commencement date falls on the day immediately preceding the first day of the first full fiscal year of the Authority or (ii) the last day of the first partial fiscal year within the term of the Authority. Every five years, or

at such longer intervals as approved by City Council, the Authority shall present for approval to City Council a plan for business improvements and administrative services, together with estimated costs and the proposed method of assessments for business improvements and charges for administrative services, as required by 53 Pa. C.S. § 5607(d)(27), and subject to objection of District property owners under 53 Pa. C.S. § 5607(g).

(f) The Powers of the Authority shall be exercised by a governing body to be called the “Board of Directors of the Callowhill Business Improvement District” which shall consist of nine (9) members who shall serve without compensation. Each new member shall be appointed from the class of persons required under the Municipality Authorities Act, 53 Pa. C.S. § 5601 *et seq.* The names and addresses of the first members of the Board of Directors the Authority are set forth below; in order that the members shall continue to serve on a staggered basis, there shall be five classes of directors; each of the initial members of the Board of Directors set forth below shall serve for a term beginning on the date a certificate of incorporation is issued for the Authority by the Secretary of the Commonwealth of Pennsylvania and ending at the end of the number of years set below his or her name from the first Monday in January next succeeding the date of incorporation:

Initial Board Members

Craig Grossman
Arts + Crafts Holdings
448 N. 10th Street
Philadelphia, PA 19123
Five Years

Bruce Shelly
Shelly Electric
1126 Callowhill Street
Philadelphia, PA 19123
Two Years

Kelly Edwards
Callowhill RCO
448 N. 10th Street
Philadelphia, PA 19123
Five Years

Fang Wei Pantano
Development Manager
United Development
1132 Brandywine Street
Philadelphia, PA 19123
One Year

Gary Rueben
Wolf Building
340 N 12th Street
Philadelphia, PA 19107
Three Years

Robert Zuritsky
President
Parkway Corporation
150 N. Broad Street
Philadelphia, PA 19102-1424
Two Years

Miles Wilson
EducationWorks
990 Spring Garden Street
Philadelphia, PA 19123
Four Years

Jay Goldstein
Chairman & CEO
Spring Garden Lending
Philadelphia, PA 19123
Four Years

Pearl Wang Herrera
Director, Power Up Your Business
Community College of Philadelphia
1751 Callowhill Street, Suite C1-9
Philadelphia, PA 19130
Three Years

The members of the Board of Directors of the Authority shall elect the Chairman and other officers of the Authority and members of the “Executive Committee” of the Authority. The special duties of the officers and Executive Committee shall be set forth in the Bylaws adopted by the Authority for the management and operation of its affairs. Future appointments to the Board of Directors shall be made by class for a term of five (5) years. Each Board of Directors vacancy shall be filled by the appointment by resolution of City Council after a public hearing of a candidate nominated by the Mayor from a list of candidates submitted to the Mayor by the remaining members of the Board of Directors. Each such candidate shall be a resident of, own or be an officer of a business in, have their principle place of employment in, or provide services to residents or businesses in, the District. If City Council does not appoint any nominated candidate within forty-five (45) days after said candidate's name is presented to City Council for approval, the remaining members of Board of Directors shall submit another list of candidates to the Mayor for nomination for City Council's approval by resolution after a public hearing.

(g) The City of Philadelphia has retained the right which exists under the Act, as amended by the Act of April 10, 1980, P.L. 105, to approve any plan of the Authority. Such approval shall be by ordinance of City Council.

(h) Pursuant to 53 P.S. § 18112(e), the Authority shall possess any additional power given to a neighborhood improvement district under the Community and Economic Improvement Act, 53 P.S. § 18101, *et seq.*

IN WITNESS WHEREOF, the City of Philadelphia, Commonwealth of Pennsylvania, has caused these Articles of Incorporation to be signed by the Mayor and the President of City Council under its municipal seal this day of _____, 20__.

By: _____
Mayor

By: _____
President of the Council

SECTION 6. The initial members of the Board of Directors of the Authority shall be those persons named in Section (f) of the foregoing Articles of Incorporation, whose appointments will be effective as of the date referred to in said Section (f).

SECTION 7. This Ordinance shall take effect immediately.